

भाग II—सण्ड 1 PART II—Section 1 प्राधिकार संप्रकारिशत

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इस् भाग में भिन्न पृष्ठ संख्या दी जाती हैं जिससे कि यह अलग संकलन के रूप में रखा जा सर्ज । Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

New Delhi, the 13th April, 1978/Chaitra 23, 1900 (Saka)

The following Act of Parliament received the assent of the President on the 13th April, 1978, and is hereby published for general information:—

THE CONSTITUTION (FORTY-THIRD AMENDMENT) ACT, 1977

[13th April, 1978]

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Forty-third Amendment), Act, 1977.

Short title.

2. Article 31D of the Constitution shall be omitted.

Omission of article 31D.

3. (1) Article 32A of the Constitution shall be omitted.

Omission of article

32A.

- (2) Any proceedings pending before the Supreme Court under article 32 of the Constitution immediately before the commencement of this Act may be dealt with by the Supreme Court as if the said article 32A had been omitted with effect on and from the 1st day of February, 1977.
 - 4. (1) Article 131A of the Constitution shall be omitted.

Omission of article 131A.

(2) Notwithstanding anything contained in sub-section (1), where immediately before the commencement of this Act any reference made

by a High Court under the said article 131A is pending before the Supreme Court, the Supreme Court may, having regard to—

- (a) the stage at which the reference is so pending; and
- (b) the ends of justice,

either deal with the case as if that article had not been omitted or return the case to the High Court for disposal as if that article had been omitted with effect on and from the 1st day of February, 1977.

- 5. (1) Article 144A of the Constitution shall be omitted.
- (2) Any case pending before the Supreme Court immediately before the commencement of this Act may be dealt with by the Supreme Court as if the said article 144A had been omitted with effect on and from the 1st day of February, 1977.

of article 144A,

Omission

Amendment of

article 145.

- 6. In article 145 of the Constitution,-
- (a) in clause (1), in sub-clause (cc), for the words, figures and letters "articles 131A and 139A", the word, figures and letter "article 139A" shall be substituted;
- (b) in clause (2), the words, figures and letter "article 144A and of" shall be omitted;
- (c) in clause (3), the words, figures and letter "Subject to the provisions of article 144A," shall be omitted.

Amendment of article 226. 7. In article 226 of the Constitution, in clause (1), the words, figures and letters "but subject to the provisions of article 131A and article 226A" shall be omitted.

Omission of article 226A.

- 8. (1) Article 226A of the Constitution shall be omitted.
- (2) Any proceedings pending before a High Court under article 226 of the Constitution immediately before the commencement of this Act may be dealt with by the High Court as if the said article 226A had been omitted with effect on and from the 1st day of February, 1977.

Amendment of article 228. 9. In article 228 of the Constitution, in the opening portion, the words, figures and letter ", subject to the provisions of article 131A," shall be omitted.

Omission of article 228A.

- 10. (1) Article 228A of the Constitution shall be omitted.
- (2) Any case pending before a High Court immediately before the commencement of this Act may be dealt with by the High Court as if the said article 228A had been omitted with effect on and from the 1st day of February, 1977.

Amendmeat of article 366. 11. In article 366 of the Constitution, clause (4A) and clause (26A) shall be omitted.

K. K. SUNDARAM, Secy. to the Govt. of India.